



**PRESENT:**

Mr. Daniel A. Gecker, Chairman  
Mr. Russell J. Gulley, Vice Chairman  
Mr. Jack R. Wilson, III  
Mr. Sherman W. Litton  
Mr. F. Wayne Bass  
Mr. Kirkland A. Turner, Secretary to the Commission,  
Planning Director

**ALSO PRESENT:**

Mr. Glenn E. Larson, Assistant Director, Advance Planning  
and Research and Information Section, Planning Department  
Mr. Michael E. Tompkins, Assistant Director,  
Development Review Section, Planning Department  
Ms. Beverly F. Rogers, Assistant Director, Zoning and  
Special Projects Section, Planning Department  
Mr. Robert V. Clay, Planning and Special Projects Manager,  
Zoning and Special Projects Section, Planning Department  
Ms. Jane Peterson, Planning and Special Projects Manager,  
Zoning and Special Projects Section, Planning Department  
Ms. Darla W. Orr, Planning and Special Projects Manager,  
Zoning and Special Projects Section, Planning Department  
Ms. Teresa C. Davis, Planning and Special Projects Coordinator,  
Zoning and Special Projects Section, Planning Department  
Mr. Carl D. Schlaudt, Planning Administrator,  
Development Review Section, Planning Department  
Mr. Gregory E. Allen, Planning Administrator,  
Development Review Section, Planning Department  
Mr. Jeffrey H. Lamson, Senior Planner, Development  
Review Section, Planning Department  
Mr. Alan G. Coker, Senior Planner, Development  
Review Section, Planning Department  
Ms. Beth Sykes, Senior Planner, Development  
Review Section, Planning Department  
Mr. Joseph E. Feest, Planning Administrator, Development  
Review Section, Planning Department

Ms. Amy Somervell, Senior Planner, Development  
Review Section, Planning Department  
Mr. James K. Bowling, Principal Planner, Advance Planning  
and Research Section, Planning Department  
Mr. Steven F. Haasch, Principal Planner, Advance Planning and  
Research Section, Planning Department  
Ms. Linda N. Lewis, Administrative Assistant, Administration  
Section, Planning Department  
Ms. Michelle L. Martin, Secretary, Administrative Section,  
Planning Department  
Mr. David W. Robinson, Assistant County Attorney,  
County Attorney's Office  
Ms. Tara McGee, Assistant County Attorney,  
County Attorney's Office  
Mr. Allan M. Carmody, Director,  
Budget and Management Department  
Mr. R. John McCracken, Director,  
Transportation Department  
Mr. James R. Banks, Assistant Director,  
Transportation Department  
Mr. Richard M. McElfish, Director,  
Environmental Engineering Department  
Mr. Scott Flanigan, Water Quality Manager,  
Environmental Engineering Department  
Mr. Randolph Phelps, Senior Engineer,  
Utilities Department  
Assistant Fire Marshal John P. Jones,  
Fire Department  
Dr. Mike Etienne, Communications Specialist,  
Planning Department, School Administration

#### **ASSEMBLY AND WORK SESSION**

Messrs. Gecker, Gulley, Wilson, Litton, Bass and staff assembled at 12:00 p. m. in the Multipurpose Meeting Room (1<sup>st</sup> Floor) of the Chesterfield County Community Development Building, 9800 Government Center Parkway, Chesterfield, VA, for lunch and a work session to discuss the following:

- A. Requests to Postpone Action, Emergency Additions, Changes in the Order of Presentation and Dinner Location Selection.**
- B. Review Upcoming Agendas.** (Any rezonings or conditional uses scheduled for future meetings.)
- C. Review Day's Agenda.** (Any items listed for the 3:00 p.m. and 7:00 p.m. Sessions.)
- D. Work Program – Review and Update.**
- E. Discussion to Consider Rescheduling Planning Commission Evening Session Meeting Start Time.**
- F. Update** relative to **Proposed FY-08 Planning Department Fee Adjustments.**
- G. Status Report-*Swift Creek Reservoir Master Plan and Maintenance Program.***
- H. Discussion** relative to **Proposed Upper Swift Creek Plan Amendment** and related **Ordinance Amendments.**
- I. Recess.**

**A. REQUESTS TO POSTPONE ACTION, EMERGENCY ADDITIONS OR CHANGES IN THE ORDER OF PRESENTATION.**

There were no requests to postpone action, emergency additions or changes in the order of presentation.

**◆ DINNER LOCATION SELECTION.**

On motion of Mr. Bass, seconded by Mr. Gulley, the Commission resolved to meet for dinner at Riptides Seafood Restaurant at 5:00 p. m.

AYES: Messrs. Gecker, Gulley, Wilson, Litton and Bass.

**B. REVIEW UPCOMING AGENDAS.**

Ms. Rogers apprised the Commission of the caseload agenda for the upcoming months of August and September 2007.

**C. REVIEW DAY'S AGENDA.**

Ms. Rogers presented an overview of, and staff's recommendations for, requests to be considered at the 7:00p. m. Public Meeting and Hearing.

Mr. Tompkins presented an overview of, and staff's recommendations for, requests to be considered at the 3:00 p. m. Public Meeting.

**D. WORK PROGRAM.**

There being no additions, deletions or revisions to the Commission's Work Program, the Commission reviewed and accepted the August 2007 Work Program, as presented.

**E. DISCUSSION TO CONSIDER RESCHEDULING PLANNING COMMISSION EVENING SESSION MEETING START TIME.**

After a brief discussion, it was on motion of Mr. Wilson, seconded by Mr. Gulley, that the Commission resolved to set the start time for the August 21, 2007, meeting at 6:00 p.m., with consideration of withdrawals, deferrals and consent cases from 6:00 p.m. to 7:00 p.m. and consideration of code and/or plan amendments and contested zoning and conditional use cases beginning at 7:00 p.m.

The Commission agreed to not take action at this time to permanently change the start time for the Evening Public Meeting and Hearing but to determine whether or not to change the start time on a month-by-month basis.

**F. UPDATE RELATIVE TO PROPOSED FY-08 PLANNING DEPARTMENT FEE ADJUSTMENTS.**

Mr. Larson updated the Commission as to the status of the Subdivision Fee Review Committee's meeting held on July 10, 2007; outlined proposals suggested for consideration; and asked the Commission to consider scheduling August 21, 2007 for a public hearing.

Upon conclusion of the discussion, the Commission proposed several modifications, which they requested be included in the advertisement for public hearing.

On motion of Mr. Gecker, seconded by Mr. Gulley, the Commission set the date of, and requested staff take the necessary steps to advertise, August 21, 2007, at 7:00 p. m., in the Public Meeting Room of the Chesterfield Administration Building, for a public hearing to consider an Ordinance to amend the Code of the County of Chesterfield, 1997, as amended, by amending and re-enacting Section 17-11 of the subdivision ordinance relating to subdivision fees.

AYES: Messrs. Gecker, Gulley, Wilson, Litton and Bass.

**G. STATUS REPORT-SWIFT CREEK RESERVOIR MASTER PLAN AND MAINTENANCE PROGRAM.**

Messrs. McElfish and Flanigan updated the Commission as to the status of the *Swift Creek Reservoir Master Plan and Maintenance Program*.

**H. DISCUSSION RELATIVE TO PROPOSED UPPER SWIFT CREEK PLAN AMENDMENT AND RELATED ORDINANCE AMENDMENTS.**

Mr. Bowling updated the Commission as to the status of the proposed *Upper Swift Creek Plan* Amendment and related land use Ordinances, noting the two (2) citizens' informational sessions conducted at Mt. Hermon Baptist Church, Moseley, VA, on July 12, 2007, and the upcoming July 19, 2007, Planning Commission public hearing scheduled to take public input on the matter.

There was discussion relative to various elements of the proposed *Plan* and accompanying Ordinance Amendments, which Mr. Gecker anticipated would be addressed during the public hearing on July 19, 2007.

**I. RECESS.**

There being no further business to discuss, the Commission recessed at 1:18 p. m., agreeing to reconvene in the Multipurpose Room at 3:00 p. m. for the public meeting.

**3:00 P. M. PUBLIC MEETING**

Mr. Gecker, Chairman, called the meeting to order at 3:00 p. m. in the Multipurpose Meeting Room of the Chesterfield County Community Development Customer Service Building, noting that Mr. Litton would not be in attendance.

**A. REQUESTS TO POSTPONE ACTION, EMERGENCY ADDITIONS OR CHANGES IN THE ORDER OF PRESENTATION.**

On motion of Mr. Wilson, seconded by Mr. Gulley, the Commission moved Case 06TS0211, Patrick Construction (Autumn Grove (Formerly Autumn Leaf)), from Item VIII., Other to Item VI., Deferral Requests by Individual Planning Commissioners to be heard after Case 07TS0163, Andrew Gibb (Queens Gate); and reordered the agenda accordingly.

AYES: Messrs. Gecker, Gulley, Wilson and Bass.  
ABSENT: Mr. Litton.

**B. REVIEW MEETING PROCEDURES.**

Mr. Turner reviewed the meeting procedures.

**C. APPROVAL OF PLANNING COMMISSION MINUTES.**

◆ **June 19, 2007, Planning Commission Meeting Minutes.**

Mr. Turner noted the June 19, 2007, Planning Commission meeting minutes were incomplete and asked the Commission to defer consideration of the minutes to the August 21, 2007, Planning Commission meeting.

It was the consensus of the Commission to defer consideration of the June 19, 2007, Planning Commission meeting minutes to the August 21, 2007, meeting.

**D. CONSIDERATION OF THE FOLLOWING REQUESTS:**

◆ **DEFERRAL REQUESTS BY INDIVIDUAL PLANNING COMMISSIONERS.**

**07TS0163:** In Midlothian Magisterial District, **ANDREW GIBB** requested tentative subdivision approval of 129 single family lots. This development is commonly known as **QUEENS GATE**. This request lies in Residential (R-7 and R-15) and Corporate Office (O-2) Districts on a 79.21 acre parcel fronting approximately 2,500 feet on the south line of Coalfield Road, also fronting approximately 2,500 feet on the north line of Lucks Lane. Tax IDs 727-698-7803; 728-697-2424; 729-696-0058; and 731-696-2505 (Sheets 9 and 10).

Mr. Bill Johns, the applicant's representative, did not accept deferral of Case 07TS0163 by Mr. Gecker, noting he had received no comments from staff pertaining to the request since the last submittal of information in February 2007 and he did not feel the request was receiving adequate attention.

No one came forward to speak in favor of, or in opposition to, the deferral.

Mr. Gecker noted he had been contacted on several occasions by the Queensmill Civic Association and there appeared to be active neighborhood interest in the case.

The following motion was made at Mr. Gecker's request.

On motion of Mr. Gecker, seconded by Mr. Wilson, the Commission, on their own motion, resolved to defer Case 07TS0163, Andrew Gibb (Queens Gate), to the August 21, 2007, Planning Commission public meeting.

AYES: Messrs. Gecker, Gulley, Wilson and Bass.  
ABSENT: Mr. Litton.

**06TS0211:** In Dale Magisterial District, **PATRICK CONSTRUCTION** requested tentative subdivision approval of seventy-eight (78) single family lots and a waiver to Section 17-76(1) to allow seventy-eight (78)

lots on one (1) local street access. This project is commonly known as **AUTUMN GROVE (FORMERLY AUTUMN LEAF)**. This request lies in a Residential (R-12) District on a 35.37 acre parcel lying approximately 1,700 feet on the west line of Stonebridge Subdivision (Sections 3 and 4), also fronting approximately fifty (50) feet on Koufax Drive and located at the terminus of Koufax Drive. Tax ID 774-678-9980 (Sheet 17).

Mr. Wilson stated, on Mr. Litton's behalf, he wished to defer Case 06TS0211, Patrick Construction (Autumn Grove (Formerly Autumn Leaf)), to the September 18, 2007, Planning Commission public meeting.

Mr. Andy Scherzer, the applicant's representative, accepted deferral of Case 06TS0211, Patrick Construction (Autumn Grove (Formerly Autumn Leaf)), to the September 18, 2007, Planning Commission public meeting.

No one came forward to speak in favor of, or in opposition to, the deferral.

The following motion was made at Mr. Wilson's request.

On motion of Mr. Wilson, seconded by Mr. Bass, the Commission, on their own motion, resolved to defer Case 06TS0211, Patrick Construction (Autumn Grove (Formerly Autumn Leaf)), to the September 18, 2007, Planning Commission public meeting.

AYES: Messrs. Gecker, Gulley, Wilson and Bass.  
ABSENT: Mr. Litton.

♦ **CASES WHERE THE APPLICANT ACCEPTS STAFF'S RECOMMENDATION AND THERE WAS NO OPPOSITION PRESENT.**

**07PR0407:** In Clover Hill Magisterial District, **TASTE OF ITALY** requested Planning Commission approval of architecture and landscape plans, as required by Case 89SN0150. This project or development is commonly known as **TASTE OF ITALY AT WATERFORD**. This request lies in a Light Industrial (I-1) District on a .79 acre parcel fronting approximately 137 feet on the east line of Charter Colony Parkway approximately 230 feet north of Genito Road. Tax ID 729-688-8382 (Sheet 16).

Mr. Aaron Breed, the applicant's representative, accepted staff's recommendation.

Mr. Gecker opened the discussion for public comment.

Ms. Andrea Epps, a County resident, voiced support for the request.

There being no one else to speak, Mr. Gecker closed the public comment.

On motion of Mr. Gulley, seconded by Mr. Wilson, the Commission resolved that approval of the architecture and landscape plans, as required by Case 89SN0150, for Case 07PR0407, Taste of Italy (Taste Of Italy At Waterford), shall be and it thereby was granted.

AYES: Messrs. Gecker, Gulley, Wilson and Bass.  
ABSENT: Mr. Litton.

◆ **CASES WHERE THE APPLICANT DID NOT ACCEPT THE RECOMMENDATION AND/OR THERE WAS PUBLIC OPPOSITION OR CONCERN.**

**07PR0405:** In Clover Hill Magisterial District, **ROB CHESSON** requested Planning Commission approval of architectural elevations, lighting plan and landscape plan, as required by Conditions 4, 5 and 7, respectively, of zoning Case 85S074. This development is commonly known as **BAILEY PARK/RASTEK**. This request lies in General Business (C-5) and Corporate Office (O-2) Districts on three (3) parcels totaling approximately twenty (20) acres fronting approximately 535 feet on the south line of Hull Street Road, east of N. Bailey Bridge Road. Tax IDs 741-682-9653 and 9809 and 742-682-0990. (Sheet 10)

Mr. Allen presented an overview of the request and staff's recommendation for approval of the building elevations with two (2) conditions; approval of the lighting plan with one (1) condition; and approval of the landscape plan with two (2) conditions.

Mr. Rob Chesson, the applicant, and Mr. Aaron Breed, the applicant's representative, accepted staff's recommendation relative to the lighting and landscaping requirements but indicated they preferred not to change the style of Building #6

No one came forward to speak in favor of, or in opposition to, the request.

Discussion ensued relative to building elevations and requirements pertaining to architecture, after which Mr. Gulley indicated he had no objections to the elevations and was inclined to agree with the applicant regarding the architectural style of the internal buildings.

On motion of Mr. Gulley, seconded by Mr. Wilson, the Commission resolved that approval of the building elevations, lighting plan and landscape plan, as required by Conditions 4, 5 and 7, respectively, of Zoning Case 85S074, for eight (8) retail and office/warehouse buildings totaling approximately 77,240 square feet for Case 07PR0405, Rob Chesson (Bailey Park-Rastek), shall be and it thereby was granted, subject to the following conditions:

**ARCHITECTURE CONDITIONS**

1. Buildings 1, 2, 7 and 8 shall be of a design similar to the elevation labeled as Exhibit A. (P)
2. Buildings 3, 4, 5, and 6 may include parapet walls as shown in Exhibit B. (P)

**LIGHTING CONDITION**

1. All pole and building mounted light fixtures shall be mounted no higher than twenty (20) feet above grade. Pole-mounted light fixtures within 100 feet of a residential property shall include a house side shield.

**LANDSCAPING CONDITIONS**

1. The front setback along Hull Street Road shall be landscaped at a rate of two (2) times Perimeter landscaping C. (P)

2. The buffer areas adjacent to buildings seven (7) and eight (8) shall be inspected in late fall 2007 by the Planning Department to determine the amount of supplemental evergreen landscaping the applicant shall provide to accomplish year round screening of these buildings. Evergreen landscaping shall be planted in early spring 2008. (P)

AYES: Messrs. Gecker, Gulley, Wilson and Bass.  
ABSENT: Mr. Litton.

**07TW0326:** In Clover Hill Magisterial District, **ZENO AND CHARLOTTE ROUSSEAU** requested a development standards waiver to the Zoning Ordinance provision in Section 19-510(a)(1) to permit a boat to be parked outside the required rear yard. This project is commonly known as **11501 BAILEY WOODS DRIVE**. This request lies in a Residential (R-9) District on a .23 acre parcel fronting approximately seventy-five (75) feet on the south line of Bailey Woods Drive. Tax ID 742-679-1230 (Sheet 16).

Ms. Charlotte Rousseau, one of the applicants, did not accepted staff's recommendation, noting that the boat had been in the current location for eleven (11) years; there had been no complaints or objections relative to the location of the boat from any neighbors in that period of time; and moving the boat created a hardship for them.

No one came forward to speak in favor of, or in opposition to, the request.

Mr. Gulley stated he met with the applicants; felt staff had provided two (2) good alternatives for relocating the boat to the side yard of the property; and could not support the request.

On motion of Mr. Gulley, seconded by Mr. Bass, the Commission denied the request for a development standards waiver to the Zoning Ordinance provision in Section 19-510(a)(1) to permit a boat to be parked outside the required rear yard for Case 07TW0326, Zeno and Charlotte Rousseau (11501 Bailey Woods Drive).

AYES: Messrs. Gecker, Gulley, Wilson and Bass.  
ABSENT: Mr. Litton.

**E. RECESS.**

There being no further business to discuss, the Commission recessed the 3:00 Public Meeting at 3:31 p.m., agreeing to meet at 4:45 p.m. to travel to Riptides Seafood Restaurant for dinner.

During dinner, there was discussion pertaining to various rezoning and Conditional Use request sites.

**6:00 P. M. PUBLIC MEETING AND HEARING**

Mr. Gecker, Chairman, called the meeting to order at 6:00 p. m. in the Public Meeting Room of the Chesterfield County Administration Building in the Government Center Complex, noting that Mr. Litton would not be present for the Evening Session and that, although there was only partial power due to the adverse weather conditions, the meeting would proceed.

There was citizen objection to conducting the meeting under the current circumstances and the Commission agreed to recess at 6:02 p. m. to allow the appropriate staff to be contacted to determine when the power may be restored.



Mr. Gecker advised those present that County maintenance staff was in the process of evaluating the situation and contacting Virginia Dominion Power. He stated the 6:00 p. m. portion of the meeting was scheduled to consider withdrawals, deferrals and consent cases from 6:00 p.m. to 7:00 p.m., noting the Commission did not intend to proceed with any contested items. He noted that if a determination was made that restoration of the power would take a lengthy timeframe, the remainder of the meeting to consider code and/or plan amendments and contested zoning and conditional use cases could be carried over to Thursday, July 19, 2007.

There was no objection from those present and Mr. Gecker reconvened the meeting at 6:30 p. m.

**A. INVOCATION.**

Mr. Gulley presented the invocation.

**B. PLEDGE OF ALLEGIANCE TO THE FLAG OF THE UNITED STATES OF AMERICA.**

Mr. Wilson led the Pledge of Allegiance to the Flag.

**C. REVIEW AGENDAS FOR UPCOMING MONTHS.**

Mr. Turner apprised the Commission of the caseload agenda for the upcoming months, noting there were twenty-two (22) cases scheduled on the August 21, 2007, agenda; and seventeen (17) cases scheduled on the September 18, 2007.

**D. REQUESTS TO POSTPONE ACTION, EMERGENCY ADDITIONS OR CHANGES IN THE ORDER OF PRESENTATION.**

There were no requests to postpone action, emergency additions or changes in the order of presentation.

**E. REVIEW MEETING PROCEDURES.**

Mr. Turner reviewed the meeting procedures.

**F. CITIZEN COMMENT ON UNSCHEDULED MATTERS INVOLVING THE SERVICES, POLICIES AND AFFAIRS OF THE COUNTY GOVERNMENT REGARDING PLANNING OR LAND USE.**

On motion of Mr. Wilson, seconded by Mr. Gulley, the Commission resolved to suspend their By-Laws to move Item VII, Citizen Comments on Unscheduled Matters to be heard prior to Item XI., Contested Agenda; and reordered the agenda accordingly.

AYES: Messrs. Gecker, Gulley, Wilson and Bass.  
ABSENT: Mr. Litton.

**G. CONSIDERATION OF THE FOLLOWING REQUESTS:**  
**♦ REQUESTS FOR DEFERRALS BY APPLICANTS.**

**07SN0353:** In Bermuda Magisterial District, **DORAN DEVELOPMENT CO., L.L.C., RICHARD J. NOVEMBER, MANAGER AND H. R. POLLARD, IV, MANAGER** requested deferral to August 21, 2007,

for consideration of rezoning and amendment of zoning district map from Agricultural (A) to Residential (R-12). Residential use of up to 3.63 units per acre is permitted in a Residential (R-12) District. The Comprehensive Plan suggests the property is appropriate for residential use of 2.51-4.0 units per acre. This request lies on 30.7 acres fronting approximately 160 feet on the east line of Happy Hill Road across from Fielding Road. Tax ID 799-642-4348.

Mr. Richard November, the applicant's representative, requested deferral of Case 07SN0353 to the August 21, 2007, Planning Commission public hearing.

There was no opposition to the deferral.

The following motion was made at the applicant's request.

On motion of Mr. Wilson, seconded by Mr. Gulley, the Commission resolved to defer Case 07SN0353 to the August 21, 2007, Planning Commission public hearing.

AYES: Messrs. Gecker, Gulley, Wilson and Bass.

ABSENT: Mr. Litton.

**07SN0354:** In Midlothian Magisterial District, **NEW CINGULAR WIRELESS PCS, LLC** requested deferral to September 18, 2007, for consideration of Conditional Use and amendment of zoning district map to permit a communications tower in a Residential (R-40) District. The density of such amendment will be controlled by zoning conditions or Ordinance standards. The Comprehensive Plan suggests the property is appropriate for residential use of one (1) dwelling per acre or less. This request lies on 2.9 acres fronting approximately twenty-two (22) feet on the west line of James River Road approximately 780 feet south of Riverton Ridge Drive. Tax ID 728-725-Part of 6105.

Mr. Brennan Keene, the applicant's representative, requested deferral of Case 07SN0354 to the September 18, 2007, Planning Commission public hearing.

There was no opposition to the deferral.

The following motion was made at the applicant's request.

On motion of Mr. Gecker, seconded by Mr. Gulley the Commission resolved to defer Case 07SN0354 to the September 18, 2007, Planning Commission public hearing.

AYES: Messrs. Gecker, Gulley, Wilson and Bass.

ABSENT: Mr. Litton.

**07SN0356:** In Midlothian Magisterial District, **GOODE LAND COMPANY** requested deferral to August 21, 2007, for consideration of rezoning and amendment of zoning district map from Residential (R-7) and Community Business (C-3) to Community Business (C-3) plus Conditional Use Planned Development to permit exceptions to Ordinance requirements. The density of such amendment will be controlled by zoning conditions or Ordinance standards. The Comprehensive Plan suggests the property is appropriate for village shopping district use uses. This request lies on 2.7 acres and is known as 13217 Midlothian Turnpike. Tax ID 731-707-2423.

Mr. Jim Theobald, the applicant's representative, requested deferral of Case 07SN0356 to the August 21, 2007, Planning Commission public hearing.

There was no opposition to the deferral.

The following motion was made at the applicant's request.

On motion of Mr. Gecker, seconded by Mr. Bass, the Commission resolved to defer Case 07SN0356 to the August 21, 2007, Planning Commission public hearing.

AYES: Messrs. Gecker, Gulley, Wilson and Bass.

ABSENT: Mr. Litton.

**05SN0239:** (Amended) In Clover Hill Magisterial District, **THE CHEATHAM FAMILY LIMITED PARTNERSHIP** requested deferral to August 21, 2007, for consideration of rezoning and amendment of zoning district map from Agricultural (A) to Community Business (C-3) with Conditional Use to permit multifamily and townhouse uses plus Conditional Use Planned Development to permit exceptions to Ordinance requirements. The density of such amendment will be controlled by zoning conditions or Ordinance standards. The Comprehensive Plan suggests the property is appropriate for regional mixed use uses. This request lies on 63.5 acres fronting approximately 550 feet on the north line of Hull Street Road, also fronting approximately 2,400 feet on the west line of Route 288 and located in the northwest quadrant of the intersection of these roads. Tax IDs 733-680-Part of 9439; 734-678-2276; and 734-681-0526 and 3904.

Mr. Andy Scherzer, the applicant's representative, requested deferral of Case 05SN0239 to the August 21, 2007, Planning Commission public hearing.

There was no opposition to the deferral.

The following motion was made at the applicant's request.

On motion of Mr. Gulley, seconded by Mr. Wilson, the Commission resolved to defer Case 05SN0239 to the August 21, 2007, Planning Commission public hearing.

AYES: Messrs. Gecker, Gulley, Wilson and Bass.

ABSENT: Mr. Litton.

**07SN0157:** In Matoaca Magisterial District, **OTTERDALE VENTURE, LLC** requested deferral to August 21, 2007, for consideration of rezoning and amendment of zoning district map from Agricultural (A) and General Business (C-5) to Community Business (C-3) of 107 acres with Conditional Use to permit multifamily residential use and to Residential Townhouse (R-TH) of seventy-one (71) acres plus Conditional Use Planned Development to permit exceptions to Ordinance requirements. The density of such amendment will be controlled by zoning conditions or Ordinance standards. The Comprehensive Plan suggests the property is appropriate for community mixed use and residential use of 2.0 units per acre or less. This request lies on 178.0 acres fronting approximately 1,500 feet on the north line of Hull Street Road, also fronting in two (2) places for a total of approximately 3,500 feet on the west line of Otterdale Road and located in the northwest quadrant of the intersection of these roads. Tax ID 710-670-5596.

Mr. Jim Theobald, the applicant's representative, requested deferral of Case 07SN0157 to the August 21, 2007, Planning Commission public hearing.

There was no opposition to the deferral.

The following motion was made at the applicant's request.

On motion of Mr. Bass, seconded by Mr. Gulley, the Commission resolved to defer Case 07SN0157 to the August 21, 2007, Planning Commission public hearing.

AYES: Messrs. Gecker, Gulley, Wilson and Bass.

ABSENT: Mr. Litton.

**07SN0180:** In Bermuda Magisterial District, **PAGE DEVELOPMENT CO.** requested deferral to September 18, 2007, for consideration of rezoning and amendment of zoning district map from Agricultural (A) to Residential (R-12). Residential use of up to 3.63 units per acre is permitted in a Residential (R-12) District. The Comprehensive Plan suggests the property is appropriate for residential use of 2.51-4.0 units per acre. This request lies on 18.3 acres lying approximately 490 feet off the south line of Treely Road approximately 180 feet east of Eves Lane. Tax ID 791-637-Part of 7209.

Mr. Andy Scherzer, the applicant's representative, requested deferral of Case 07SN0180 to the September 18, 2007, Planning Commission public hearing.

There was no opposition to the deferral.

The following motion was made at the applicant's request.

On motion of Mr. Wilson, seconded by Mr. Bass, the Commission resolved to defer Case 07SN0180 to the September 18, 2007, Planning Commission public hearing.

AYES: Messrs. Gecker, Gulley, Wilson and Bass.

ABSENT: Mr. Litton.

**07SN0223:** In Matoaca and Midlothian Magisterial Districts, **GBS HOLDING, LTD.** requested deferral to August 21, 2007, for consideration of rezoning and amendment of zoning district map from Agricultural (A) and Light Industrial (I-1) to Community Business (C-3) of 270.9 acres with Conditional Use to permit multifamily and townhouse uses and rezoning from Agricultural (A) and Light Industrial (I-1) to Residential Townhouse (R-TH) of 1,124 acres plus Conditional Use Planned Development to permit exceptions to Ordinance requirements on the entire 1,394.9 acre tract. The density of such amendment will be controlled by zoning conditions or Ordinance standards. The Comprehensive Plan suggests the property is appropriate for regional employment center use, office/residential mixed use and residential use of 2.0 units per acre or less. This request lies on 1,394.9 acres fronting the east and west lines of Old Hundred Road at the Norfolk Southern Railroad; the north line of Old Hundred Road east of Otterdale Road; and the east and west lines of Otterdale Road north of Old Hundred Road. Tax IDs 707-700-7988; 708-702-1722; 709-701-7328; 710-700-7596; 710-703-3345; 711-699-3470; 711-700-1144; 711-701-5180; 712-699-7663; 713-703-4194; 713-704-3412; 713-705-5709; 714-703-2188 & 7259; 714-704-1729; 714-705-5728; 716-701-4130; 718-697-4548 & 6844; 718-699-7719; 719-697-8012; 719-698-2822; 720-695-3288 & 9506; 720-698-0178; 720-700-0007; 721-695-9061; 722-697-0512; 722-700-4002.

No one was present to represent Case 07SN0223.

In response to questions from the Commission, staff indicated the applicant had submitted written documentation requesting the deferral.

There was no opposition to the deferral.

The following motion was made at the applicant's and Mr. Bass' requests.

On motion of Mr. Bass, seconded by Mr. Gulley, the Commission resolved to defer Case 07SN0223 for thirty (30) days at the applicant's request and for thirty (30) days on the Commission's motion, for a total of sixty (60) days, to the September 18, 2007, Planning Commission public hearing.

AYES: Messrs. Gecker, Gulley, Wilson and Bass.

ABSENT: Mr. Litton.

**07SN0241:** In Dale Magisterial District, **ROWE ASSOCIATES LTD.** requested deferral to September 18, 2007, for consideration of an amendment to Conditional Use Planned Development (Case 84S059) and amendment of zoning district map relative to buffer requirements. The density of such amendment will be controlled by zoning conditions or Ordinance standards. The Comprehensive Plan suggests the property is appropriate for residential use of 1.0-2.5 dwelling units per acre. This request lies in a Residential (R-9) District on 1.0 acre fronting approximately 400 feet on the north line of Cogbill Road, also fronting approximately 150 feet on the west line of Ironstone Drive and located in the northwest quadrant of the intersection of these roads. Tax IDs 772-681-3493 and 4595; and 772-682-6002.

Mr. Andy Scherzer, the applicant's representative, requested deferral of Case 07SN0241 to the September 18, 2007, Planning Commission public hearing.

There was no opposition to the deferral.

The following motion was made at the applicant's request.

On motion of Mr. Wilson, seconded by Mr. Gulley, the Commission resolved to defer Case 07SN0241 to the September 18, 2007, Planning Commission public hearing.

AYES: Messrs. Gecker, Gulley, Wilson and Bass.

ABSENT: Mr. Litton.

**07SN0307:** (Amended) In Matoaca Magisterial District, **BATTLEGROUND RESTAURANTS, INC. AND MICHAEL MCCAFFERY** requested deferral to August 21, 2007, for consideration of rezoning and amendment of zoning district map from Agricultural (A), Neighborhood Business (C-2) and Corporate Office (O-2) to Community Business (C-3) with Conditional Use Planned Development to permit exceptions to Ordinance requirements. The density of such amendment will be controlled by zoning conditions or Ordinance standards. The Comprehensive Plan suggests the property is appropriate for mixed use corridor use. This request lies on 7.9 acres fronting approximately 490 feet on the south line of Hull Street Road approximately 470 feet west of Mockingbird Lane. Tax IDs 729-673-5883 and 8052 and 729-674-8507.

Mr. Andy Scherzer, the applicant's representative, requested deferral of Case 07SN0307 to the August 21, 2007, Planning Commission public hearing.

There was no opposition to the deferral.

The following motion was made at the applicant's request.

On motion of Mr. Bass, seconded by Mr. Gulley, the Commission resolved to defer Case 07SN0307 to the August 21, 2007, Planning Commission public hearing.

AYES: Messrs. Gecker, Gulley, Wilson and Bass.

ABSENT: Mr. Litton.

◆ **REQUESTS FOR DEFERRALS BY INDIVIDUAL PLANNING COMMISSIONERS.**

**06SN0244:** In Bermuda Magisterial District, **H. H. HUNT CORPORATION** requested rezoning and amendment of zoning district map of a 1,445.4 acre tract from Agricultural (A) to Residential (R-12) with Conditional Use Planned Development to permit exceptions to Ordinance requirements plus Conditional Use to permit recreational facilities on 43.5 acres of the 1,445.4 acre tract and rezoning of a 169.1 acre tract from Agricultural (A) to Regional Business (C-4) with Conditional Use Planned Development to permit exceptions to Ordinance requirements plus Conditional Use on 3.0 acres of the 169.1 acre tract to permit an above-ground utility structure (wastewater pump station). The density of such amendment will be controlled by zoning conditions or Ordinance standards. The Comprehensive Plan suggests the property is appropriate for regional mixed use and residential use of 1.01-2.5 units per acre. This request lies on 1,614.5 acres fronting approximately 2,890 feet on the south line of Bradley Bridge Road, also fronting in two (2) places for approximately 9,490 feet on the west line of Branders Bridge Road. Tax IDs 780-644-8171; 781-637-Part of 6541; 781-639-3251; 781-641-6250; 783-635-0505; and 784-641-6810.

Mr. Jim Theobald, the applicant's representative, accepted the recommendation by Mr. Wilson to defer Case 06SN0224 to the August 21, 2007, Planning Commission public hearing.

There was no opposition to the deferral.

The following motion was made at Mr. Wilson's request.

On motion of Mr. Wilson, seconded by Mr. Gulley, the Commission, on their own motion, resolved to defer Case 06SM0244 to the August 21, 2007, Planning Commission public hearing.

AYES: Messrs. Gecker, Gulley, Wilson and Bass.

ABSENT: Mr. Litton.

**07SN0362:** In Clover Hill Magisterial District, **MT. GILEAD FULL GOSPEL INTERNATIONAL MINISTRIES** requested Conditional Use and amendment of zoning district map to permit a computer-controlled, variable message, electronic sign. The density of such amendment will be controlled by zoning conditions or Ordinance standards. The Comprehensive Plan suggests the property is appropriate for community mixed use uses. This request lies in an Agricultural (A) District on 4.1 acres lying approximately 970 feet off the north line of Hicks Road across from Lockhart Road. Tax ID 759-694-Part of 3145.

Minister Rod Smith, the applicant's representative, accepted the recommendation by Mr. Gulley to defer Case 06SN0224 but requested deferral to the August 21, 2007, Planning Commission public hearing instead of the September 18, 2007, public hearing.

Mr. Gecker opened the discussion for public comment.

Mr. John Thayer, a resident of Surreywood Subdivision and Chairman of the 360 Corridor Committee, supported deferral of Case 07SN0362 to the September 18, 2007, Planning Commission public hearing.

There being no one else to speak, Mr. Gecker closed the public comment.

The following motion was made at Mr. Gulley's request.

On motion of Mr. Gulley, seconded by Mr. Wilson, the Commission, on their own motion, resolved to defer Case 07SN0362 to the September 18, 2007, Planning Commission public hearing.

AYES: Messrs. Gecker, Gulley, Wilson and Bass.

ABSENT: Mr. Litton.

**07SN0206:** (Amended) In Matoaca Magisterial District, **GBS HOLDING LTD** requested rezoning and amendment of zoning district map from Agricultural (A) to Residential (R-15) plus Conditional Use Planned Development to permit exceptions to Ordinance requirements. Residential use of up to 2.90 units per acre is permitted in a Residential (R-15) District. The density of such amendment will be controlled by zoning conditions or Ordinance standards. The Comprehensive Plan suggests the property is appropriate for single family residential use of 2.0 units per acre or less. This request lies on 38.8 acres fronting approximately 290 feet on the west line of Old Hundred Road approximately 2,900 feet northwest of Otterdale Road. Tax ID 714-698-Part of 3178.

Mr. Casey Sowers, the applicant's representative, accepted the recommendation by Mr. Bass to defer Case 07SN0206 to the August 21, 2007, Planning Commission public hearing.

There was no opposition to the deferral.

The following motion was made at Mr. Bass' request.

On motion of Mr. Bass, seconded by Mr. Gulley, the Commission, on their own motion, resolved to defer Case 07SN0206 to the August 21, 2007, Planning Commission public hearing.

AYES: Messrs. Gecker, Gulley, Wilson and Bass.

ABSENT: Mr. Litton.

♦ **REQUESTS WHERE THE APPLICANT ACCEPTS THE RECOMMENDATION AND THERE IS NO OPPOSITION PRESENT.**

**07SN0332:** In Bermuda Magisterial District, **BERMUDA TRIANGLE PROPERTY LP** requested rezoning and amendment of zoning district map from Agricultural (A) to General Industrial (I-2). The density of such amendment will be controlled by zoning conditions or Ordinance standards. The Comprehensive Plan suggests the property is appropriate for light industrial use. This request lies on one (1) acre fronting

approximately ninety (90) feet on the north line of Battery Dantzler Road approximately 560 feet east of Old Stage Road. Tax ID 804-656-1922.

Mr. Dean Hawkins, the applicant's representative, accepted staff's recommendation.

No one came forward to speak in favor of, or in opposition to, the request.

On motion of Mr. Wilson, seconded by Mr. Gulley, the Commission resolved to recommend approval of Case 07SN0332.

AYES: Messrs. Gecker, Gulley, Wilson and Bass.

ABSENT Mr. Litton.

**07SN0344:** In Midlothian Magisterial District, **NEW DELIVERANCE EVANGELISTIC CHURCH** requested Conditional Use and amendment of zoning district map to permit a child care facility and private school in an Agricultural (A) District. The density of such amendment will be controlled by zoning conditions or Ordinance standards. The Comprehensive Plan suggests the property is appropriate for residential use of 2.51 to 4.0 dwelling units per acre. This request lies on 17.1 acres and is known as 1701 Turner Road. Tax ID 765-699-3061.

Mr. Bryan Nevers, the applicant's representative, accepted staff's recommendation.

No one came forward to speak in favor of, or in opposition to, the request.

On motion of Mr. Gecker, seconded by Mr. Bass, the Commission resolved to recommend approval of Case 07SN0344, subject to the following conditions:

CONDITIONS

1. The operation of the private school and child day facility shall be in conjunction with church use on the property. (P)
2. Except where the requirements of the underlying Agricultural (A) zoning are more restrictive, any new development for the school or child day facility shall conform to the requirements of the Zoning Ordinance for Corporate Office (O-2) uses in Emerging Growth Areas. (P)
3. The following setback criteria shall apply to any outdoor play fields, courts, swimming pools and similar active recreational areas:
  - a. With the exception of playground areas which accommodate swings, jungle gyms or similar such facilities, all active play fields, courts, swimming pools or similar active recreational facilities which could accommodate organized sports such as football, soccer, basketball, etc., shall be located a minimum of 100 feet from adjacent properties. Within this setback, existing vegetation shall be supplemented, where necessary, with landscaping or other devices designed to achieve the standards for fifty (50) buffers in the Zoning Ordinance.
  - b. If active play fields, courts, swimming pools and similar active recreational areas are set back more than 100 feet from the adjacent properties, the landscaping or other



design features described in Condition 3.a may be modified by the Planning Department at the time of site plan review. Such modification shall accomplish mitigation of the visual and noise impacts that sports or related activities have on adjacent properties equivalent to the 100 foot setback/landscaping requirements described in Condition 3.a.

- c. Any playground areas (swings, jungle gyms or similar such facilities) shall be set back a minimum of forty (40) feet from all property lines. (P)

AYES: Messrs. Gecker, Gulley, Wilson and Bass.  
ABSENT Mr. Litton.

**07SN0346:** In Bermuda Magisterial District, **NEW CINGULAR WIRELESS PCS, LLC** requested Conditional Use and amendment of zoning district map to permit a communications tower in General Business (C-5) and General Industrial (I-2) Districts. The density of such amendment will be controlled by zoning conditions or Ordinance standards. The Comprehensive Plan suggests the property is appropriate for general commercial uses. This request lies on 12.5 acres fronting approximately twenty-two (22) feet on the north line of Ruffin Mill Road east of Route I-95. Tax IDs 805-638-Part of 7523; 806-638-Part of 0723; and 806-640-Part of 0310.

Mr. Brennan Keene, the applicant's representative, accepted staff's recommendation.

No one came forward to speak in favor of, or in opposition to, the request.

On motion of Mr. Wilson, seconded by Mr. Bass, the Commission resolved to recommend approval of Case 07SN0346, subject to the following conditions:

CONDITIONS

1. There shall be no signs permitted to identify this use. (P)
2. The base of the tower shall be enclosed by a minimum six (6) foot high fence, designed to preclude trespassing. The fence shall be placed so as to provide sufficient room between the fence and the property line to accommodate evergreen plantings having an initial height and spacing to provide screening of the base of the tower and accessory ground-mounted equipment or structures from adjacent properties. A detailed plan depicting these requirements shall be submitted to the Planning Department for approval in conjunction with final site plan review. (P)
3. The color and lighting system for the tower shall be as follows:
  - a. The tower shall be gray or another neutral color, acceptable to the Planning Department.
  - b. The tower shall not be lighted.
  - c. The tower shall be a monopole structure (P)

4. At such time that the tower ceases to be used for communications purposes for a period exceeding twelve (12) consecutive months, the owner/developer shall dismantle and remove the tower and all associated equipment from the property. (P)

AYES: Messrs. Gecker, Gulley, Wilson and Bass.  
ABSENT Mr. Litton.

**07SN0348:** In Matoaca Magisterial District, **JAMES AND HAZEL MILES** requested Conditional Use and amendment of zoning district map to permit a business (boat motor repair) incidental to a dwelling unit in an Agricultural (A) District. The density of such amendment will be controlled by zoning conditions or Ordinance standards. The Comprehensive Plan suggests the property is appropriate for residential use of 1.01-2.5 units per acre. This request lies on 2.4 acres fronting approximately ninety (90) feet on the east line of Branders Bridge Road approximately twenty (20) feet north of Birdbrook Drive. Tax IDs 795-621-0072 and 1887.

Mr. James Miles, one of the applicants, accepted staff's recommendation.

No one came forward to speak in favor of, or in opposition to, the request.

On motion of Mr. Bass, seconded by Mr. Wilson, the Commission resolved to recommend approval of Case 07SN0348 and acceptance of the following proffered conditions:

#### PROFFERED CONDITIONS

1. This Conditional Use shall be granted to and for James, Sr. and Hazel Miles, exclusively, for a period not to exceed five (5) years and shall not be transferable or run with the land. (P)
2. This Conditional Use shall be limited to the operation of a boat motor repair business, exclusively, and no employees other than the applicants shall be permitted. (P)
3. Other than normal maintenance or improvements necessary to meet the Virginia Statewide Building Code, there shall be no exterior additions or alterations to the structures. (BI & P)
4. Except for a 400 square foot area used for motor and part storage behind the existing garage, storage within the existing open carport structure attached to the garage and parking for a maximum of twelve (12) customer boats, outside storage shall not be permitted. Additionally, the applicants shall restrict the boat storage and motor repair operation to the rear yard behind the garage. (P)
5. There shall be no signs permitted to identify this use. (P)
6. No deliveries shall be permitted before 8:00 a.m. or after 5:00 p.m. (P)
7. Hours of operation shall be restricted to between 8:00 a.m. and 6:00 p.m., Monday through Saturday. No Sunday operation shall be permitted. (P)

8. The existing solid board fence located along the property boundary adjacent to Tax ID 795-621-0665, which shall not exceed a height of seven (7) feet, shall be properly maintained to preclude view of the business. (P)
9. All driveway and parking areas shall be at least graveled. (P)

AYES: Messrs. Gecker, Gulley, Wilson and Bass.  
ABSENT Mr. Litton.

**07SN0352:** In Bermuda Magisterial District, **RUS BECK/N. B. GOODWYN AND SONS** requested Conditional Use and amendment of zoning district map to permit General Business (C-5) uses in a General Industrial (I-2) District. The density of such amendment will be controlled by zoning conditions or Ordinance standards. The Comprehensive Plan suggests the property is appropriate for general industrial use. This request lies on 29.8 acres fronting approximately 960 feet on the north and approximately 490 feet on the south lines of Bellwood Road approximately 800 feet east of Jefferson Davis Highway. Tax IDs 793-674-6970 and 793-675-3644.

Mr. Roger Habeck, the applicant's representative, accepted staff's recommendation.

No one came forward to speak in favor of, or in opposition to, the request.

On motion of Mr. Wilson, seconded by Mr. Bass, the Commission resolved to recommend approval of Case 07SN0352, subject to the following condition and acceptance of the following proffered conditions:

CONDITION

In addition to the uses permitted in the General Industrial (I-2) District, those uses permitted by right or with restrictions in the General Business (C-5) District shall be permitted. (P)

PROFFERED CONDITIONS

1. Access. Direct vehicular access from the parcels identified as Tax ID 793-675-3644 and 793-674-6970 to Bellwood Road shall be limited to three (3) existing entrances/exits and one (1) existing entrance/exit, respectively. Any modification to these accesses shall be approved by the Transportation Department. (T)
2. Right-of-Way Dedication. Prior to any site plan approval or within ninety (90) days of a written request by the Transportation Department, whichever occurs first, thirty-five (35) feet of right-of-way on the south side of Bellwood Road immediately adjacent to the parcel identified as Tax ID 793-674-6970, measured from the centerline of Bellwood Road shall be dedicated, free and unrestricted, to and for the benefit of Chesterfield County. (T)

AYES: Messrs. Gecker, Gulley, Wilson and Bass.  
ABSENT Mr. Litton.

**07SN0251:** (Amended) In Dale Magisterial District, **SALVATORE CANGIANO** requested rezoning and amendment of zoning district map from Agricultural (A) to Residential Townhouse (R-TH) plus Conditional Use Planned Development to permit exceptions to Ordinance requirements. The density of such amendment will be controlled by zoning conditions or Ordinance standards. The Comprehensive Plan

suggests the property is appropriate for medium density residential use of 1.51 to 4.0 units per acre. This request lies on 9.3 acres fronting approximately 1,250 feet on the northeast line of Genito Road approximately 180 feet west of Price Club Boulevard. Tax ID 745-683-9215.

Mr. Jim Theobald, the applicant's representative, accepted staff's recommendation.

No one came forward to speak in favor of, or in opposition to, the request.

On motion of Mr. Wilson, seconded by Mr. Gulley, the Commission resolved to recommend approval of Case 07SN0251 and acceptance of the following proffered conditions:

#### PROFFERED CONDITIONS

The Developer (the "Developer") in this zoning case, pursuant to Section 15.2-2298 of the Code of Virginia (1950 as amended) and the Zoning Ordinance of Chesterfield County, for himself and his successors or assigns, proffers that the development of the property known as Chesterfield County Tax Identification Number 745-683-9215 (the "Property") under consideration will be developed according to the following conditions if, and only if, the rezoning request for R-TH is granted. In the event the request is denied or approved with conditions not agreed to by the Developer, the proffers and conditions shall be immediately be null and void and no further force or effect.

1. Master Plan. The Textual Statement dated March 16, 2007 shall be the Master Plan. (P)
2. Wastewater. The public wastewater system shall be used. (U)
3. Timbering. With the exception of timbering which has been approved by the Virginia State Department of Forestry for the removal of dead or diseased trees, there shall be no timbering on the Property until a land disturbance permit has been obtained from the Environmental Engineering Department and the approved devices have been installed. (EE)
4. Cash Proffer. For each dwelling unit developed, the applicant, subdivider, or assignee(s) shall pay the following to the County of Chesterfield prior to the issuance of a building permit for each dwelling for infrastructure improvements within the service district for the Property:
  - a. \$15,600 per dwelling unit if paid prior to July 1, 2007; or
  - b. The amount approved by the board of Supervisors not to exceed \$15,600 per dwelling unit adjusted upward by any increase in the Marshall and Swift Building Cost Index between July 1, 2006 and July 1 of the fiscal year in which the payment is made after June 30, 2007.
  - c. Cash proffer payments shall be spent for purposes proffered or as otherwise permitted by law.
  - d. Should Chesterfield County impose impact fees at any time during the life of the development that are applicable to the Property, the amount paid in cash proffers

shall be in lieu of or credited toward, but not in addition to, any impact fees, in a manner as determined by the County. (B&M)

5. Buffers. All required buffers shall be located within recorded open space. (P)
6. Public Streets. All streets that accommodate general traffic circulation through the development as determined by the Transportation Department shall be designed and constructed to VDOT standards and taken into the State System. (T)
7. Transportation.
  - a. Direct vehicular access from the Property to Genito Road shall be limited to two (2) public roads. One (1) access shall align with the crossover on Genito Road that serves Tracker Drive, and the other access shall be generally located towards the northern property line. The exact location of these accesses shall be approved by the Transportation Department.
  - b. In conjunction with initial development of the Property, additional pavement shall be constructed along Genito Road at each approved access to provide a separate right turn lane. The developer shall dedicate to Chesterfield County, free and unrestricted, any additional right-of-way (or easements) required for these improvements. (T)
8. Dwelling Units Per Building. A maximum of seven (7) dwelling units shall be attached; however, a maximum of four (4) dwelling units shall be attached if any one or more of the dwelling units so attached do not contain a garage. (P)
9. Garages. A minimum of forty percent (40%) of dwelling units shall have an attached garage. Where provided, if a garage is not rear- or side-loaded, it shall not be located closer to the street than the front facade of the dwelling unit it serves. The subdivision record plat shall reflect the location of lots where garage units will be constructed. (P)
10. Driveways. All driveways shall be paved or be concrete. (P)
11. Street Trees. Street trees shall be planted or retained along each side of roads and driveways except for driveways serving individual dwelling units. The exact spacing, species and size shall be approved at the time of tentative subdivision and/or site plan review. (P)
12. Sidewalks. Sidewalks shall be provided along both sides of public roads which have dwelling units fronting the road. Ornamental pedestrian-scale lighting, not to exceed fourteen (14) feet in height, shall be provided to illuminate the sidewalks. (P)
13. Building Materials. The facades of dwelling units shall be constructed of brick, brick or stone veneer, wood, vinyl, hardiplank or composite siding, or a combination of such materials. (P)
14. Foundations. All exposed portions of front and side foundations shall be faced with brick. (P)

15. Elevations. Buildings containing three (3) story dwelling units shall have an architectural treatment and materials generally consistent with those depicted in the rendering prepared by Jordan Land Design, LLC attached hereto and made a part herewith. Provided, however, the Planning Commission may approve alternate treatment and materials provided the alternative meets the spirit and intent of the above requirement relative to the building material quality, varied rooflines, articulation of the doors and windows, and varied color schemes. (P)
16. Dwelling Size. Each dwelling unit shall have a minimum gross floor area of 1300 square feet. (P)
17. Lot Width. Each lot, except end lots, shall have a minimum lot width of twenty (20) feet. (P)
18. Focal Point. The required recreational area along Genito Road shall also serve as a "focal point". The focal point area shall include, but not be limited to, benches or other amenities that accommodate and facilitate gatherings. (P)

AYES: Messrs. Gecker, Gulley, Wilson and Bass.  
ABSENT Mr. Litton.

**07SN0262:** (Amended) In Matoaca Magisterial District, **SKINQUARTER LLC** requested rezoning from Agricultural (A) with Conditional Use to Agricultural (A) of 55.0 acres plus Conditional Use to permit a construction/demolition/debris landfill and a material recycling operation on this property and an adjacent 56.4 acres currently zoned Agricultural (A). The density of such amendment will be controlled by zoning conditions or Ordinance standards. The Comprehensive Plan suggests the property is appropriate for rural conservation area use. This request lies on a total of 111.4 acres fronting approximately 40 feet on the south line of Hull Street Road approximately 2,700 feet west of Skinquarter Road. Tax IDs 689-666-8726; 690-664-Part of 5058; and 690-666-8719.

Mr. William Shewmake, the applicant's representative, accepted staff's recommendation.

No one came forward to speak in favor of, or in opposition to, the request.

On motion of Mr. Bass, seconded by Mr. Gulley, the Commission resolved to recommend approval of Case 07SN0262 and acceptance of the following proffered conditions:

#### PROFFERED CONDITIONS

1. The plan prepared by Joyce Engineering, Inc., dated March 15, 2007, attached as Exhibit A, shall be considered the Master Plan.
2. Uses permitted in Tract A as identified on the Master Plan shall be limited to the following:
  - a. Uses permitted by right or with restrictions in an Agricultural (A) District.
  - b. Grinding, mulching and processing of vegetative waste to include grass, leaves, waste and land clearing debris such as stumps and brush.

- c. Soil processing.
  - d. Composting.
  - e. Material recycling facility, to include the grinding, mulching, recycling, reprocessing, and management of such materials as wood, pallets, sheet rock, waste paper, inert materials such as bricks, concrete and asphalt as well as construction and demolition material. Provided, however, the term construction and demolition materials do not include paints, coatings, solvents, asbestos, liquid compressed gasses and garbage.
  - f. Solid waste transfer station to enable trucks to consolidate the loads from smaller quantity generators to larger trailers.
  - g. Wholesales of ground, mulched, processed and/or recycled materials.
  - h. Landfills designed for receiving construction, demolition and debris waste.
  - i. Any uses permitted in Tract B as identified on the Master Plan.
3. Uses permitted in Tract B as identified on the Master Plan shall be limited to the following:
- a. Uses permitted by right or with restrictions in an Agricultural (A) District.
  - b. Access, roads, utilities, buffers, setbacks, BMPs or other environmental features or devices.
4. Retail sales shall be prohibited.
5. A 100 foot buffer shall be provided around the perimeter of the operation. Within the buffer, existing vegetation and/or topography shall be supplemented as necessary to provide year-round screening. Other than utilities and access which run generally perpendicular through the buffer, and a fence, there shall be no other facilities located within this buffer. Landscaping, including existing vegetation, within the buffer shall have an initial height, density and be of a species which will provide year-round screening when installed. The limits of buffers shall be defined to preclude dumping and grading within the buffer. Also, there shall be no filling or grading permitted in the buffer except that necessary to accommodate utilities, access, BMPs, and/or landscaping. A detailed plan depicting these requirements shall be submitted to the Planning Department in conjunction with site plan review.
6. The area of permitted activity and buffer area shall be clearly defined by a permanent means. The method of delineation shall be approved by the Planning Department.
7. The operations boundary shall be secured by permanent means (i.e., fencing, etc.) to preclude vehicles from entering the property at any point other than the single entrance road. The exact means of securing the boundary shall be approved by the Planning Department at the time of site plan approval.

8. Direct access from the property to Route 360 shall be limited to one entrance/exit. The exact location of this entrance/exit shall be determined by the Transportation Department.
9. The entrance road shall be hard surfaced for a length of 250 feet from Route 360. Further, the entrance road shall be designed to preclude the view of activity from Hull Street Road and secured to prohibit indiscriminate dumping of materials. The landfill owner/operator shall be responsible for the removal of any materials dumped along either the access road or along Hull Street Road adjacent to the subject property. Further, the owner/operator shall be responsible for removing dirt and debris from Hull Street Road resulting from the operation. A procedure for controlling dust shall be submitted to the Environmental Engineering Department for approval and shall be implemented in conjunction with landfilling activity. Measures to correct dust control problems shall be taken within twenty-four (24) hours of notification by the County.
10. Prior to the issuance of a building permit, 100 feet of right-of-way, measured from the centerline of Hull Street Road along the entire property frontage, shall be dedicated to and for the County of Chesterfield, free and unrestricted.
11. Prior to any site plan approval, a ninety (90) foot wide right-of-way for an east/west major arterial shall be dedicated, free and unrestricted, to and for the benefit of Chesterfield County. The exact location of this right-of-way shall be determined by the Transportation Department, but shall generally be located at or near the southern boundary of the Property, but if acceptable to the Transportation Department, the right-of-way may be located off-site but generally south of the Property.
12. Prior to any filling, grinding, mulching or processing of vegetative waste, soil processing, composting, material recycling, operation of a transfer station, or sales of ground, mulched, processed and/or recycled materials, additional pavement shall be constructed along Route 360 to provide left and right turn lanes at the site access.
13. Stormwater runoff from decomposable materials generated by yard and lawn care or land clearing activities, including, but not limited to, leaves, grass trimmings, woody wastes such as shrub and tree prunings, bark, limbs, roots and stumps, shall not be permitted to drain or discharge directly into the storm sewer system and/or directly to surface water. Areas used for the storage and recycling of materials shall be graded to minimize and to collect runoff. Collected runoff shall be conveyed to a wastewater treatment disposal or holding facility. Such disposal or holding facility includes, without limitation, recirculation. A stormwater pollution prevention plan that is applicable to the project site shall be developed by the applicant and submitted to the Office of Water Quality for review and approval in conjunction with site plan review.
14. There shall be a minimum seventy-five (75) foot cleared area between the buffer identified in proffer 5 and the perimeter of the mulch, compost or other piles of recyclable material.
15. The site plan shall incorporate the following improvements for County review and approval:
  - a. A pond with a minimum size of .5 acres and a minimum average water depth of five (5) feet, excluding any required safety benches, and a dry fire hydrant to access the water in case of fire.



- b. A driveway sufficient to provide emergency vehicle access to the pond and dry fire hydrant.
  - c. In conjunction with site plan review, a phasing plan for the construction of the improvements noted in proffers 15a and 15b shall be submitted for the Fire Department's review and approval.
16. Prior to any site plan approval, an access plan for the East/West Arterial shall be submitted to and approved by the Transportation Department. Access to the property from the East/West Arterial shall conform to the approved access plan.

AYES: Messrs. Gecker, Gulley, Wilson and Bass.  
ABSENT Mr. Litton.

**07SN0300:** In Bermuda Magisterial District, **ANDREW WALKER** requested rezoning and amendment of zoning district map from Residential (R-7) to Corporate Office (O-2). The density of such amendment will be controlled by zoning conditions or Ordinance standards. The Comprehensive Plan suggests the property is appropriate for office/residential mixed use uses. This request lies on 0.6 acre and is known as 3453 West Hundred Road. Tax ID 793-655-4597.

There was no one present to represent Case 07SN0300; therefore, Mr. Gecker noted the request would be deferred.

No one came forward to speak in favor of, or in opposition to, the deferral.

The following motion was made at Mr. Wilson's request.

On motion of Mr. Wilson, seconded by Mr. Gulley, the Commission, on their own motion, resolved to defer Case 07SN0300 to the August 21, 2007, Planning Commission public hearing.

AYES: Messrs. Gecker, Gulley, Wilson and Bass.  
ABSENT Mr. Litton.

**07SN0314:** In Matoaca Magisterial District, **CARRIE E. COYNER, TRUSTEE** requested rezoning and amendment of zoning district map from Agricultural (A) to Residential (R-12) plus Conditional Use Planned Development to permit exceptions to Ordinance requirements. The density of such amendment will be controlled by zoning conditions or Ordinance standards. The Comprehensive Plan suggests the property is appropriate for conservation: passive recreation and residential use of 2.0 units per acre or less. This request lies on 27.6 acres fronting approximately 200 feet on the west line of Winterpock Road approximately 300 feet south of Bethia Road. Tax ID 721-662-1358.

Ms. Carrie Coyner, the applicant, accepted staff's recommendation, noting the applicant was in compliance with staff's recommended conditions and asked the Commission to forward a favorable recommendation to the Board of Supervisors.

Mr. Bass made a motion to move Case 07SN0314 to the Contested Agenda.

In response to a question from Mr. Gecker, Ms. McGee indicated that although the applicant had addressed the Commission and the public hearing had not yet been opened, it was at the Commission's discretion to move the request to the Contested Agenda.

Mr. Gecker stated that Case 07SN0314 would be moved to the Contested Agenda.

Mr. Gecker stated that given the circumstances of the power outage, he was uncomfortable proceeding with the Contested Agenda until such time the power could be restored and Comcast was able to broadcast the meeting. He stated he would like to recess the meeting to discuss the situation with the maintenance staff to ascertain the estimated time of power may be. He stated if the timeframe was reasonable short, he anticipated continuing the meeting this evening; however, if the timeframe was lengthy, he anticipated recessing the meeting and carrying over the remainder of the agenda to the July 19, 2007, Planning Commission meeting.

The Commission recessed at 7:04 p. m.

The Commission reconvened at 7:09 p. m.

Mr. Gecker updated those present as to the status of the power outage, noting he had been advised the timeframe to restore the power would be lengthy and he, therefore, felt the most appropriate action to take would be to recess the meeting and carry over the remainder of the agenda to the July 19, 2007, meeting, at 6:00 p. m.

**I. RECESS.**

There being no further business to come before the Commission, it was on motion of Mr. Bass, seconded by Mr. Wilson that the meeting recessed at 7:10 p. m. with the remaining agenda being carried over to 6:00 p. m. on Thursday, July 19, 2007, at the Public Meeting Room, Chesterfield County Administration Building.

AYES: Messrs. Gecker, Gulley, Wilson and Bass.

ABSENT: Mr. Litton.